



STATE OF DELAWARE  
DEPARTMENT OF AGRICULTURE  
DELAWARE HARNESS RACING COMMISSION  
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**Minutes of the**  
**Delaware Harness Racing Commission Meeting**

**PUBLIC SESSION**

**June 12, 2018 at 10:00 AM**

**Delaware Department of Agriculture - Conference Room**

**Commission Members Present**

<b>Beverly Steele</b>	<b>Chairman</b>
<b>Patt Wagner</b>	<b>Vice Chairman</b>
<b>George Staats</b>	<b>Commissioner</b>
<b>Stephanie Liguori</b>	<b>Commissioner</b>
<b>Jack Berberian</b>	<b>Commissioner</b>

**Others Present**

DHRC Executive Director Mark Davis, DOJ Stacey Cohee, Dover Downs Sr. Director of Racing John Hensley, DSOA Executive Director Sal DiMario and Les Givens .

Staff members attended: Dan Kazmaier

Staff members Subpoenaed: Lauren Torres, Wes Gerardi and Dr. Kristen Near

*Minutes: Donna Krol*

**CALL TO ORDER:**

At 10:05 a.m. Vice Chairman Wagner called the public session of the meeting to order and welcomed all in attendance.

Immediately following the "Call to Order," the DHRC Commission dismissed to Executive Session. The Commission returned to Public Session after the Executive Session was complete.

Chairman Steele arrived at 10:11 a.m. during Executive session.

**Executive Session:**

*See Executive Session minutes.*

**Return to Public Session:**

At 10:32 a.m. Chairman Steele called the public session of the meeting to order and welcomed all in attendance.

**APPROVAL OF MINUTES:**

Public minutes from the May 8, 2018 Commission Meeting were reviewed. An error was noted in the minutes under 8.3.5.9.6, (34) should be (30). Correction will be made before minutes are posted to State Calendar. Chairman Steele entertained a motion to approve the public minutes with the correction noted. Motion was made by Commissioner Berberian and seconded by Commissioner Liguori. Motion passed with unanimous voice vote.

**Delaware Harness Racing Commission – Public Session  
June 12, 2018**

**OLD BUSINESS:**

**FINAL APPROVAL OF DHRC RULE 5.3 PROPOSED CHANGES TO TRAINER LANGUAGE**

The proposed changes were published in the May Registrar of Regulations. No comments were received.

The proposed changes will be finalized at the June DHRC Commission Meeting and be published in the July Registrar of Regulations going final on July 11<sup>th</sup>, 2018.

Commission members signed the Final Order. Mark Davis will send to the Registrar of Regulations for the July publication.

**NEW BUSINESS:**

**DHRC APPEAL: LES GIVENS , RULING HAR-016-18, HIGH BLOOD GAS RESULT FROM 5-1-18.**

The appeal was heard on the Les Givens case and was recorded by a Court Reporter from Wilcox & Fetzter. (see transcript for details of the hearing) The Judges' ruling was upheld by the Commission. Andrew Kerber, Esquire, Attorney for the Commission, will issue a written decision in due course.

**Reports: Executive Director, Racing Officials, Veterinarian:**

**Executive Director: Activity Summary Report**

Mark Davis reviewed the Activity Summary Report's provided to the Commission. Report covers the time period of May 1 through May 31, 2018.

**Racing statistics: June**

Total # of Live Racing Days = 15

Total # Live Races = 170

Average # Races per Day = 11

Total # of Starters = 1,264

Delaware Owned/Trained purse retention: Average = 91.4%

\*Delaware Owned now includes horses that are full/partially owned or trained by Delaware residents.

**License statistics:**

Total # licenses issued = 42

Total Monthly = \$8,295.00/YTD Total = \$48,855.00.

(Total Monthly figures include Licenses, Fingerprints, Appeals and Fines)

**Personnel Activities:**

N/A

**Meetings/Events attended by Mark Davis:**

Commission Meeting on 5-8-18

**Racing Official Report - Presiding Judge:**

Reported by: Dan Kazmaier

Total # of Rulings: 10

Total fine amount: \$3,600.00

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**Racing Official Report - Chief Investigator:**

Reported by: Lauren Torres  
Total # Human Drug Tests = 26  
Positive result: 2, B. Murray, OTD, T Edge, Groom  
Total # Breathalyzer tests = 602 average 43/day, Positive result – None  
Total # Truck & Trailer Searches completed = 40 no violations/seizures  
Fingerprints & Background checks completed = 11

**Racing Official Report - Veterinarian:**

Reported by: Dr. Kristen Near  
Total # of starters = 1,264  
Post- Race Testing:  
162 Blood samples were collected.  
124 Urine samples  
38 incomplete collections (no urine)  
Catch Rate = 76.0%, average time per catch was 33.6 minutes  
Judge's Special Tests: 3  
Horse Euthanized On/Off Track: Paradise Lost , Trainer Robert Winkleman, Horse broke down during the Race; open fracture to RF leg. Horse was sent to New Bolton for necropsy and disposal.  
Meeting will be scheduled for review of necropsy report with Trainer.

Accident On/Off Track: None  
0 A-Fib, 2 Breakdown, 19 scratches (Sick & Vet), 2 lame Post Race

**Reschedule RULES Committee Meeting:**

**Rules Meeting has been rescheduled to 6-26-18. Chairman Steele and Commissioner Staats will attend.**

**OUT OF COMPETITION TESTING:**

NONE

**FREEDOM of INFORMATION ACT Requests:**

NONE

**PUBLIC COMMENT:**

Mr. DiMario voiced concerns over the recent Blood Gas High readings and how they were handled. Because Mr. King and Mr. Hall's appeals were vacated by the DHRC, Mr. DiMario claims the perception is they were "swept" under the rug. Mr. DiMario would like to see a review of all the High Blood Gas readings from the past few years done in order to restore the confidence in the machine. Mr. Davis has reviewed each High Blood Gas reading starting in January 2018. Mr. Davis stated clearly that the Blood Gas readings for Mr. King and Mr. Hall are valid. Radiometer has checked the machine and states it is working at optimal level. However, the Standard Operating Procedure for the blood gas machine was not followed and the data was not available to pursue these two cases; so the appeals were vacated by the DHRC. Mr. Davis also stated that if a Trainer has questions on his high Blood Gas reading he would be happy to discuss the results with him/her.

**CLOSE OF PUBLIC MEETING:**

With no further public business to discuss, Chairman Steele made a motion to adjourn the public session. Motion was carried by Commissioner Berberian and seconded by Commissioner Liguori.

Meeting was adjourned at 11:56 a.m.

**Next Regular Commission Meeting is scheduled for Wednesday, August 29, 2018 at 10:00 AM**

**Next Rules Committee Meeting is scheduled for Tuesday, June 26, 2018 at 10:00 AM**

**Next DSBF Board Meeting is scheduled for Wednesday, July 11, 2018.**